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Background Information
of
The Indian Situation Today*

Perhaps in the beginning of our discussion of Indians, we should make some reference to the question of who is an Indian. There is no standard definition. Congress has given no general definition by legislation nor have the courts by interpretation. The Census Bureau uses four categories for enrollment.

- (1) Full blood Indians.
- (2) Any degree of blood if enrolled at agency.
- (3) Persons of one-fourth or more Indian blood.
- (4) Persons considering themselves Indian and so regarded by the community.

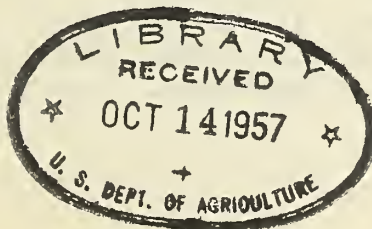
The 1950 Census enumerated 244,906 Indians in the United States, residing on reservations or similar jurisdictional areas.

Indians are often referred to as the vanishing race. This is not true. Following the discovery of America, the number of Indians gradually decreased until the latter part of the 19th Century, when the population was approximately 243,000. Since then the number has increased steadily. In 1952 Congress estimated 400,000 persons on the tribal rolls.

An Indian reservation is an area of land set apart for Indian use. Most reservations were originally established prior to 1871 as a result of treaties between the United States and Indian tribes. (Over 400 treaties were negotiated.) A number of reservations were set up after that date, either by executive order of the President or through congressional action. There are 300 separate areas of land occupied by Indians and maintained in Federal trusteeship for their use and benefit. These range in size from tiny settlements in California to the 15,000,000 acres of the Navajo. These lands are private property, belonging to Indians. Because of the trust responsibilities vested in the Federal Government, there are certain variations in the title to such lands. In some cases actual title has passed from the United States to the individual Indian, but with restrictions imposed against sale or mortgage without consent of the Secretary of the Interior. In other instances the particular property has been designated for use and benefit

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of a specific Indian but title has remained in the Federal Government as trustee for such persons. There are approximately 13,500,000 acres held in trust for individuals and nearly 39,500,000 acres held in trust for tribes--a total of 53,000,000 acres. An additional 600,000 acres of Government-owned land under the administration of the Bureau of Indian Affairs is used for agencies, schools, hospitals, and other administrative purposes or used by Indians under a special permit.

In 1775 the Continental Congress declared its jurisdiction over Indian affairs. When the United States Constitution was adopted, the States ceded to the Federal Government the power of regulations of commerce with Indian tribes which, by statute and judicial decision, was broadened to the management of Indian affairs. This resulted in the need for an administrative agency to deal with Indian affairs. This agency was originally under the War Department. In 1824, the Bureau of Indian Affairs was established in that Department by order of the Secretary of War. In 1849 the Bureau was transferred to the Department of the Interior. The aims of Indian administration have changed gradually over the years. In the early days efforts were devoted to dealing with Indian groups as separate and apart from the rest of the population, and to supporting and pacifying Indians while keeping them on reservations and permitting settlement of unreserved areas by whites. Gradually, this changed to the concept that Indians should become an integral part of the total Nation. By 1924, all Indians had become citizens of the United States and their respective States. However, since the pattern of direct relationship between Indians and the Federal Government was of such long standing, it could not easily be broken or abolished. It is gradually changing to a pattern of Indian participation in State and local governmental programs. For this reason and because the Government still has certain trustee obligations for property of Indians, the Bureau continues to provide many services (Mr. Shawnee Brown will discuss these and their tie in with Extension operation).

Indians are not wards of the Government in the sense of conventional guardian-ward relationship. Army control of Indian movements on and off reservations in the early day, along with the issuance of Government rations is probably the basis of the references, but these conditions no longer exist and the term is misleading. Under the statutes of today, the principal "guardianship" function of the United States is to act as trustee for some, not all, Indian property.

(Visuals showing United States map indicating Indian Reservation and population by States.)

The Bureau is directed by a Commissioner who is appointed by the President of the United States. It has "agencies," "area offices," and a "central office." The agencies perform functions for one or more reservations, jurisdictions, or facilities. Each agency is headed by a

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superintendent. Area offices supervise all agencies in a given geographic location. The Central Office supervises all area offices and acts as liaison to Congress through the Secretary of the Interior and the President.

The exact number of tribes in the United States is difficult to state because of the different meanings which have been given to the word "tribe." For example, the Minnesota Chippewa Tribe is composed of six bands of Chippewas, each of which may be considered a tribe for many purposes. Another example is the Fort Berthold Reservation of North Dakota which is dealt with as one tribal entity but there are actually three different tribes associated in one organization. Generally, 250 tribes are considered. The dealings of the Bureau with some of these is extensive and continuous; with others, they are slight and infrequent.

To many people the word Indian signifies a oneness or blanket coverage of relations with the race. There is no single language or a common set of customs and traditions. There are several hundred distinct tribal languages and dialects used by various groups. There are also important differences among tribal groups in dress, type of habitation, methods of producing or gathering foods, in customs and traditions, and even in physical appearance. Today many of these basic tribal differences still persist and other new ones have been added by the varying relationships which the different groups have had with non-Indians. Some Indian groups try to maintain the old tribal way of life while others have almost completely abandoned it. There are important differences among individual members in any tribal group.

Many Indians own property. Both individual and tribal property may be "trust," "restricted," or owned without restrictions. An individual may have an interest in tribal property in the same way that a shareholder has an interest in a corporation's property except that the Indian cannot sell his interest. Indians pay taxes the same as other citizens, unless exempted by treaty agreement or statute. The Government exercises control over certain funds belonging to Indians. Generally this control is restricted to funds derived from property held in trust, and the degree of control varies from tribe to tribe and from person to person. Indians do not receive payment from the Government merely because they are Indians.

This belief is probably due to the fact that Indians cash many Government checks. But there are reasons for this. Payments made to a person of Indian blood may represent his share of property belonging to his tribe or represent income from his own property collected for him by an agent of the United States. Payments may be made from money received from the United States as compensation for losses resulting from treaty violations or encroachments upon land reserved by the Government or compensation for losses incurred when lands are required in connection with Federal projects. In each case the money belongs to the tribe or individual and is held in trust by the U. S. Government, therefore Government checks are used in making payments.

According to the 1950 Census 20 percent of the Indians over 5 years of age had no formal education. This condition is rapidly improving. Each year a higher percentage of Indian children are in school and a higher percentage enter upper levels. Total enrollment ages 6 to 18 was estimated to be 104,000 in 1954, as compared to 60,000 in 1947. Indian children attend public schools, mission and other private schools, and Federal boarding or day schools. Federal schools are operated for Indian children when public school attendance is not possible or feasible.

The Federal Government recognizes a moral responsibility to provide medical care and public health services for Indians. This responsibility was transferred from the Bureau of Indian Affairs to the Public Health Service in 1955. Today there are more diseases attributable to infections and preventable conditions among Indians than are found among non-Indians. Proportionately, Indian population in 1953 had 20 times as many deaths from measles; 9 times as many from tuberculosis; 4 times as many from influenza, and 3 times as many infant deaths as non-Indians. The average life span of Indians is 37 years as compared to 61 years for the general population. More than one-third of the deaths occur before age 20.

The low standard of living--poor housing, inadequate food, unsafe water, and adherence to beliefs and practices hazardous to health--largely account for the differences in disease rates between the Indian and non-Indian population.

Indians receive public assistance through the county public welfare departments on the same basis as non-Indians. In some States, Indians receive general assistance on the same basis as non-Indians. In other States, general assistance is not granted to Indians living on reservations. In these States, assistance is provided to needy Indians, either by the Bureau or through tribal councils using tribal funds.

The question of how Indians make a living is often asked. Actually they earn their living in about as many different ways as do non-Indian people. Indians living away from the reservation are found in most trades, professions, and occupations. For those on the reservation, the opportunities available are much more limited. As a result, there is a tendency to concentrate on farming, stockraising, or timber production. Individuals supplement their income by occasional work on nearby farms and ranches, or neighboring towns. Others go out periodically for seasonal work or on railroads. There are vast differences between areas. For example, the median income from agriculture of the Navajos is \$730 and for those earning income from other sources, \$855 annually. The Klamath Indians of Oregon own the finest timberland in the country, while the Papago reservation consists of 3 million acres of desertland where 270 acres are needed to feed one cow. Most reservations are between these two extremes, but often grazing and mineral lands are not used by Indians due to a lack of capital and technical knowledge.

There is much pressure from well-meaning groups who think of Indians as people of the soil and advocate tremendous expenditures to develop reservation resources and let Indians remain "on their lands" so to speak. There are many handicaps to this:

(1) The land is inadequate for the present population which is increasing at a more rapid rate than the general population. There simply is not enough land to go around. For example, if the Pine Ridge Reservation in South Dakota were divided into economic livestock units it could provide an acceptable standard of living for about 500 families. That's fine, only there are 1,800 families there now and the number is growing.

(2) There are physical limits to what can be done with the land (irrigation problems are one).

(3) Only a minority of Indians have any interest in or aptitude for making a living by agriculture. After years of technical and financial assistance (through the Bureau), we find Indians still resist farming as a way of making a living. The fractionation of allotted lands which has come about through inheritance has a bearing on the situation, but probably not as much as the lack of interest.

(Visuals - Map of United States showing cultural background of Indian areas).

